

**United States Bankruptcy Court
For the Western District of Texas
Austin Division**

IN RE:	§	
	§	
Christy Lynn Riley,	§	Case No. 11-11533-Mott
	§	
Debtor	§	Chapter 7

**Motion to Sell the Estate's Limited Partnership Interest in
Cavan Opportunity Fund to Guadalupe R. Garcia Free and Clear of Liens**

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:

THIS PLEADING REQUESTS RELIEF WHICH MAY BE ADVERSE TO YOUR INTERESTS. IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD. A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

COMES NOW John Patrick Lowe, the Trustee in this case, and makes and files this Motion, and in support of it respectfully represents to the Court as follows:

1.

Movant is the Trustee in this Chapter 7 proceeding. The case was commenced on June 23, 2011 as a Chapter 7 proceeding and since that date has remained pending under that Chapter. This Motion is filed by right of 11 United States Code §§ 363 and 704.

2.

The Debtor amended her Schedule B on September 16, 2011 at docket number 34 to add another asset, a partnership interest in Cavan Opportunity Fund. She places a value of "unknown" on the partnership interest. The Debtor doesn't disclose either on her Schedule I or in paragraph 2 of her Statement of Financial Affairs any income from this partnership interest. There's no claim of exemption in the partnership interest. The year 2012 Schedule K-1 issued by the partnership shows that as of December 31, 2012, the Debtor owned a .3233020% limited partnership interest in the partnership. The Schedule K-1 reflects a December 31, 2012 capital account balance for this interest of \$131,135.00.

3.

The Trustee listed the partnership interest for sale on the National Association of Bankruptcy Trustee's website and received inquiries about the partnership interest. One of these inquiries led to this Motion. The Trustee moves the sale of the bankruptcy estate's limited partnership interest in Cavan Opportunity Fund, employer identification number xx-xxx3017 to Guadalupe R. Garcia, 1038 Kelly Avenue, Springdale, AR 72762, for the amount of \$2,500.00. The sale should have an effective date of January 1, 2013 and should be free and clear of any and all liens, claims, security interests and encumbrances with all of those matters, if any, attaching to the sales proceeds. The Debtor's Schedules don't depict any liens on or security interests in the estate's interest in the limited partnership interest. The sale should also be without any other warranties and without recourse against the Trustee or the bankruptcy estate.

4.

The Trustee does not expect this sale to create a federal income tax liability for the estate.

5.

There are no broker's fees or commissions due in the proposed sale.

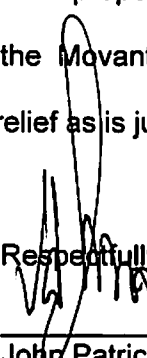
6.

The Trustee moves also for leave to execute, acknowledge and deliver any instrument or record necessary to consummate or memorialize the proposed sale.

WHEREFORE, premises considered, the Movant prays that he be authorized to sell the aforesaid asset, and for such other and further relief as is just.

Dated: September 30, 2013.

Respectfully submitted,



John Patrick Lowe, Trustee
State Bar No. 12623700
318 East Nopal
Uvalde, Texas 78801
(830) 278-4471
(830) 278-6347 (fax)
Email: johnplowe@sbcglobal.net

Certificate of Service

This is to certify that a true and correct copy of the above and foregoing Motion to Sell the Estate's Limited Partnership Interest in Cavan Opportunity Fund to Guadalupe R. Garcia Free and Clear of Liens, has been mailed to the Debtor, Debtor's attorney, and the attached Service List, by First Class mail, postage prepaid; by the CM/ECF system; or by electronic mail on this the 30th day of September 2013.



Patrick Lowe

SERVICE LIST

Texas Comptroller of Public Accounts
Revenue Accounting Div - Bankruptcy Section
P.O. Box 13528
Austin, TX 78711-3528

ADT Security Services
P.O. Box 650485
Dallas, TX 75265-0485

Aleida O. Villarreal
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

American Express
c/o Swicker & Assoc.
80 Minuteman Road
Andover, MA 01810-1008

Andrew Haut
4502 Beech St.
Bellaire, TX 77401-3708

Bank Of America
P.O. Box 2759
Jacksonville, FL 32203-2759

Bankruptcy Trading & Investments, LLC
P.O. Box 3502
Houston, TX 77253-3502

Bankruptcy Trading and Investment
Attn: Kirk Kennedy
P.O. Box 75281
Houston, TX 77234-5281
MAIL RETURNED

BBVA Compass Bank
c/o Michael Durrschmidt
Hirsch & Westheimer, PC
700 Louisiana, Ste. 2550
Houston, TX 77002-2772

Byron Strain
2550 Beckleymeade, Ste. 100
Dallas, TX 75237-3834

CA New Plan Fixed Rate Partnership
3901 Bellair Blvd
Houston, TX 77025-1100

Chase Home Finance
c/o Quilling Selander, Cumiskey & Lownd
Attn: Hudson Jobe
2001 Bryan St, Ste. 1800
Dallas, TX 75201-3071

Christopher Moody
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

Christy Lynn Riley
15208 Lariat Trail
Austin, TX 78734-2344

CIT Technology Financing
Weltman, Weinberg & Reis Co
175 S 3rd Street, Ste. 900
Columbus, OH 43215-5177

CT Corporation
350 N St. Paul St, Ste. 2900
Dallas, TX 75201-4284

Dallas County
Linebarger Goggan Blair & Sampson, LLP
c/o Elizabeth Weller
2323 Bryan Street, Ste. 1600
Dallas, TX 75201-2644

Dallas County
c/o L Spindler/E Weller
Linebarger Goggan Blair & Sampson
2323 Bryan Street, Ste. 1600
Dallas, TX 75201-2644

Dawn Pirone
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

El Paso Orthopaedic Surgery Group
1755 Curie
El Paso, TX 79902-2919

First Equity Card
Bankruptcy Dept.
4315 Pickett Rd.
Saint Joseph, MO 64503-1600

First National Bank
c/o Eric Yollick
P.O. Box 7571
The Woodlands, TX 77387-7571

Gloria Longoria
884 Hempsted Dr
El Paso, TX 79912-1559

GMAC
P.O. Box 130424
Roseville, MN 55113-0004

GR3EFG Ltd
1409 Lost Padre Mine Drive
El Paso, TX 79902-2819

H Douglas Riley
4400 North Scottsdale Rd.
Scottsdale, A Z 85251-3331

Harris County
Attn: John Dillman
P.O. Box 3064
Houston, TX 77253-3064

Heather Brown
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

Hudson M Jobe
2001 Bryan St, Ste. 1800
Dallas, TX 75201-3070

IRS
Special Procedures--Insolvency
P.O. Box 7346
Philadelphia, PA 19101-7346

Irving ISD
Linebarger Goggan Blair & Sampson,LLP
c/o Elizabeth Weller
2323 Bryan Street, Ste. 1600
Dallas, TX 75201-2644

Jackson Walker
Attn: Bruce Ruzinsky
1401 McKinney, Ste. 1900
Houston, TX 77010-1900

James A Longaker
25202 South Bend Park Ct
Katy, TX 77494-2363

Jan Williem
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

JC & GD Investments
320 Texas
El Paso, TX 79901-1437

Jennifer Floren
5931 Desco Dr
Dallas, TX 75225-1604

Jessica Rosales
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

Jessica York-Franco
6053 Lourdes Rd
Santa Teresa, NM 88008-9138

John Edward Athey
P.O. Box 202404
Austin, TX 78720-2404

JP Morgan Chase
P.O. Box 78430
Phoenix, AZ 85062-8430

Kenneth Hendren
12086 Van Gogh
El Paso, TX 79936-7109

Kimberly Ziegler
6307 Stone Trail Lane
Spring, TX 77379-2442

Kirk Allen Kennedy
P.O. Box 75281
Houston, TX 77234-5281
MAIL RETURNED

Kirk Kennedy
P.O. Box 3502
Houston, TX 77253-3502

Kristie Yeagley
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

Lauren Ooms
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

Michael Hicks
25551 Brushy Creek
Hockley, TX 77447-6257

Michael Sharp Attorney at Law
P.O. Box 1442
Friendswood, TX 77549-1442

Montgomery County Tax Office
400 N San Jacinto St
Conroe, TX 77301-2823

Numina Transcription Services
582 Market St, Ste. 807
San Francisco, CA 94104-5309

Pat Ellison
15491 Felix Rd
El Paso, TX 79938-9742

Positive Health Management
14637 Pebble Bend Dr
Houston, TX 77068-2922
MAIL RETURNED

Randy W. Williams, Trustee
333 Clay St., Ste. 3300
Houston, TX 77002-4104

Recovery Management Systems
25 SE Second Avenue, Ste. 1120
Miami, FL 33131-1605

Renea Ann McBride
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

Robert Quintanilla
11275 S Sam Houston Pkwy West #150
Houston, TX 77031-2357

Ron Ziegler
c/o Michael Sharp
P.O. Box 1442
Friendswood, TX 77549-1442

Sams Club
P.O. Box 105980, Dept 77
Atlanta, GA 30353-5980

Shell Fleet Processing Ctr
P.O. Box 689010
Des Moines, IA 50368-9010

Southwestern Bell Yellow Pages
c/o McElvaney & Kovach LLP
170 Westcott St
Houston, TX 77007-7003

Spring ISD
P.O. Box 90458
Houston, TX 77290-0458

Texas Capital Bank
Attn: Ken Goedeke, Sr VP
1 Riverway, Ste. 2100
Houston, TX 77056-1905

Texas Capital Bank
c/o Jackson Walker
Attn: Bruce Ruzinsky
1401 McKinney, Ste. 1900
Houston, TX 77010-1900

Texas Dept of State Health Svcs
c/o TX Attorney General
Bankruptcy & Collections Division
P.O. Box 12548 MC-008
Austin, TX 78711-2548

Texas Health & Human Services Comm
c/o TX Attorney General
Bankruptcy & Collections Division
P.O. Box 12548 MC-008
Austin, TX 78711-2548

Texas Medical Board
333 Guadalupe
Tower 3, Ste. 610
Austin, TX 78701-3938

Texas Prop & Casualty Ins Guaranty Assoc
9120 Burnet Rd
Austin, TX 78758-5204

Texas Workforce Commission
P.O. Box 12548
Austin, TX 78711-2548

The Woodlands Association, Inc
P.O. Box 7859
The Woodlands, TX 77387-7859

Thompson & Knight LLP (Randy Williams)
333 Clay, Ste. 3300
Houston, TX 77002-4499

Tiffany M Sustaita
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

Timothy Boggs
c/o Margaret McClure
909 Fannin, Ste. 3810
Houston, TX 77010-1030

United States Trustee
Office of the US Trustee
515 Rusk, Ste. 3516
Houston, TX 77002-2604

Judy A. Robbins
United States Trustee
903 San Jacinto Blvd, Ste. 230
Austin, TX 78701-2450

VW Credit
P.O. Box 829009
Dallas, TX 75382-9009

W J Mallerich DC
10536 Montwood A
El Paso, TX 79935

Don P (for Plenipotentiary) Stecker
Linebarger, Goggan, Blair & Sampson
711 Navarro St., #300
San Antonio, TX 78205

Jennifer L. Rothe
Accountant
Groff & Rothe
P.O. Box 628
Hondo, TX 78861

Guadalupe R. Garcia
1038 Kelly Avenue
Springdale, AR 72762

Ryan Stern
Liquidity Capital Group
Email: Ryan@LCGusa.com